

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
NORTHERN DIVISION

GLOBAL LICENSING, INC., a Michigan Corporation,	)	Civil No.: 3:16-CV-00104
	)	District Judge: J. Ronnie Greer
Plaintiff,	)	
v.	)	
KEVIN CHERRY, KENNETH RAY, and CLUB DEJA VU an unknown business entity,	)	
Defendants.	)	

---

CONSENT JUDGMENT

Plaintiff Global Licensing, Inc. ("GLOBAL") and the Defendants Kevin Cherry and Club Deja Vu, having reached a resolution of this matter agree to entry of an order as set forth below:

IT IS HEREBY ORDERED, AND DECREED THAT:

1. This Court has jurisdiction over this matter pursuant to 15 U.S.C. § 1121, 28 U.S.C. §§ 1331 and 1338 (a) and (b), and 28 U.S.C. § 1367.
2. As part of the parties' settlement, Kevin Cherry and Club Deja Vu voluntarily submits to the jurisdiction of this court for the purpose of entering and enforcing this consent decree.
3. Club Deja Vu, and its active officers, agents, servants, employees, Kevin Cherry and are permanently enjoined and restrained from using the "DEJA VU" name or the word "DEJA VU" (or any word comprised of a character or group of characters sounding the same as "DEJA VU") as, or a part of: (1) a name or domain name for

any of their current or future establishments (including online advertising and social media); and (2) a trademark or service mark for any of their current or future establishments (including online advertising and social media).

4. Club Deja vu and Kevin Cherry shall, within (10) days of this order, either (1) change the name of their establishment located at 2619 Chapman Hwy Knoxville Tennessee 37920 and any other establishment owned by the defendants from Club Deja Vu to any name other than "DEJA VU" or any word comprised of a character or group of characters sounding the same as "DEJA VU" or (2) close the establishment(s).
5. Club Deja Vu and Kevin Cherry shall, within (10) days of this order, remove and or have removed all online advertising, promotion and social media that uses the "DEJA VU" name or word "DEJA VU" (or any word comprised of a character or group of characters sounding the same as "DEJA VU").
6. Club Deja vu and Kevin Cherry shall, within (10) days of this order, remove all signage bearing the name "CLUB DEJA VU" or any word comprised of a character or group of characters sounding the same as "DEJA VU" located outside Defendants establishment 2619 Chapman Hwy Knoxville Tennessee 37920.
7. Club Deja vu and Kevin Cherry shall, within (10) days of this order, deliver to GLOBAL's counsel for destruction all promotional materials, products, advertisements, signs, brochures, packages, menus, and other printed materials bearing the Club Deja Vu mark or any other marks confusingly similar to GLOBAL's DEJA VU Family of marks and all plates, molds, matrices, screens or other means for making the same that are in the Defendants' possession or control.
8. This Consent Judgment shall be binding upon the parties, as well as upon their

respective successors, assigns, subsidiaries, and divisions, and any others acting in concert or participating with them.

9. The parties hereby voluntarily consent to have this Court enter this Consent Decree.
10. This Court shall retain jurisdiction over this matter for the sole purpose of enforcing this Consent Decree.
11. That this Judgment resolves the last pending claim and closes this case.



United States District Court Judge

Dated: October 11, 2016

The above Consent Judgment is agreed to as to form and substance.

Global Licensing, Inc.

By: Dawn B

Name: Dawn Beasley

Title: President

Date: October 4, 2016

Club Deja Vu

By: Kevin C

Name: Kevin cherry

Title: owner

Date: 9/29/2016

Kevin Cherry

By: Kevin C

Name: Kevin cherry

Title: Owner

Date: 9/29/2016

**CERTIFICATE OF SERVICE**

I hereby certify that on October 6, 2016, I electronically filed the foregoing Joint Motion for Entry of Consent Judgment and Stipulation of Dismissal Without Prejudice with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to all attorneys of record.

I hereby certify that on October 6, 2016, I mailed by United States Postal Service the document to the following non-CM/ECF participants:

Kevin Cherry  
2619 Chapman Hwy  
Knoxville, Tennessee 37920 & 615 Abbott Lane  
Knoxville, Tennessee 37923

Club Deja Vu  
2619 Chapman Hwy  
Knoxville, Tennessee 37920 & 615 Abbot Lane  
Knoxville, Tennessee 37923

Kenneth Ray  
2619 Chapman Hwy  
Knoxville, Tennessee 37920

This 6<sup>th</sup> day of October, 2016

Respectfully submitted,

By: /s/ Benjamin W. Jones  
Benjamin W. Jones, TN BPR # 020156  
LEWIS THOMASON  
620 Market Street  
Knoxville, Tennessee 37902  
Phone: (865) 546-4646  
Fax: (865) 523-6529  
bjones@lewisthomason.com

Matthew S. Wood (P 74329)  
Jeffrey S. Sherbow (P 25324)  
Admitted Pro Hac Vice  
The Law Offices of Jeffrey S. Sherbow PC  
2446 Orchard Lake Road  
Sylvan Lake MI 48320